

Application No. 10/630,124
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Docket No. CS22492US - Haub

REMARKS

The issues currently in the instant application are as follows:

- Claims 1-9 and 19-23 were rejected under 35 U.S.C. § 102(e) as being anticipated by US 2004/0038656 (McCall). The Examiner cited WO 00/18023 in error. Applicant traverses the outstanding rejection and requests reconsideration and withdrawal thereof in light of the remarks contained herein.

35 U.S.C. § 102(e) - McCall

Claims 1-9 and 19-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by US 2004/0038656 (McCall). The Examiner cited WO 00/18023 in error. Background paragraph [0003] of McCall notes that intermodulation distortion occurs where interfering signals are present at a receiver's input and are at certain frequency offsets from each other. In McCall, intermodulation is just one of a number of types of distortion to be reduced by adjusted amplifier linearity. Nowhere does McCall show or suggest "determining a frequency offset of the interference" as recited in claims 1 and 19. Page 12 lines 12-34 of the current application provide a detailed embodiment and explanation for the step of "determining a frequency offset of the interference" as recited in claims 1 and 19.

Thus, independent claim 1 is not anticipated by McCall. Claims 2-9 depend directly upon independent claim 1 and, therefore, are also not anticipated by McCall. Independent claim 19 is also not anticipated by McCall. Claims 20-23 depend directly upon independent claim 19 and, therefore, are also not anticipated by McCall. Reconsideration and withdrawal of the rejection of claims 1-9 and 19-23 under 35 U.S.C. § 102(e) as being anticipated by McCall is respectfully requested.

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S U M M A R Y

The application is in condition for allowance and a favorable response at an early date is earnestly solicited. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact Applicant's representative at the telephone number indicated below.

Please charge any fees associated herewith, including extension of time fees, to
Deposit Account 502117.

Respectfully submitted,

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